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#### DECLARATION AND POWER OF ATTORNEY

s a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### SIGNATURE SIMULATOR

| The specification of which  |   |   |  |  |                 |
|---|---|---|--|--|-----------------|
| (check X is attache one) was filed  | lon   |   | as   | ·  |                 |
| Application Se  | rial No   |   |  |  |                 |
| and was amend   | ded on  |   |  | •  |                 |
|   | (if app   | licable)  |  |  | •               |
| I hereby state that<br>including the claims, as am  | I have reviewed and und ended by any amendmer   | erstand the contents of referred to above.                                  | of the above-iden  | itified specif                                 | ication,        |
| I acknowledge the n accordance with Title 37  | duty to disclose informately, Code of Federal Regula                                    | ition which is materia<br>ations, §1.56(a).*                                | l) to the examinat   | tion of this a                                 | pplication      |
| I hereby claim the application(s) as listed belo  | benefit under Title 35, low:  | Inited States Code, §   | 119(e) of any Un   | ited States p                                  | provisional     |
| Provisional Application No  | o. <u>60/428,205</u>  | filed on  | November 20  | 2002   |                 |
| application(s) for patent or application for patent or in priority is claimed:  | eign priority benefits und<br>inventor's certificate list<br>ventor's certificate havin | ed below and have al  | so identified perc   | ow any torei                                   | R <sub>11</sub> |
| Prior Foreign Application(  | s)  |   | PriorityClaimed  |  | ned             |
| (Number)  | (Country)   | (Day/Month/   | Year Filed)  | Yes  | No              |
| I hereby claim the<br>listed below and, insofar as<br>prior United States applica<br>§112, I acknowledge the di<br>Regulations §1.56(a) which<br>international filing date of | tion in the manner providuty to disclose material in hoccurred between the f            | ch of the claims of the<br>ded by the first parage<br>nformation as defined | is application is i<br>raph of Title 35,<br>I in Title 37, Cod | not disclosed<br>United State<br>le of Federal | es Code         |
| (Application Serial No.)  | (Filing De  | ate)  | Status (patented,  | pending, al                                    | pandoned)       |
|   | the following attorney(s)   | and/or agent(s) to pro  | osecute this appli   | ication and t                                  | o transact a    |

36,772), KRIS T. FREDRICK (Reg. No. 42,554), MATTHEW LUXTON (Reg. No. 41,960) and GREG ANSEMS (Reg. No. 42,264). Address all telephone calls to KRIS T. FREDRICK at telephone number (763) 954 -5388.

business in the Patent and Trademark Office connected therewith BRIAN N. TUFTE (Reg. No. 38,638), JOHN G. SHUDY, JR. (Reg. No. 31,214), JAMES RODGERS (Reg. No. 48,306), MARK SCHROEDER (Reg. No. 53,566), J. SCOT WICKEM (Reg. No. 41,376), GLENN SEAGER (Reg. No. 36,926), DAVID CROMPTON (Reg. No.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of Sole or First Inventor                            | Peter F. Symosek              |                            |
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#### Declaration and Power of Attorney H0003798 US (1100.1204101)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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| Full Name of Fifth     |                                  |     |
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| Joint Inventor, If Any | Michael J. Flanagan              |     |
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#### \*Title 37, Code of Federal Regulations §1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all. information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.